

## HOUSE BILL NO. 805

INTRODUCED BY CLARK, R. BROWN, ELLINGSON, ELLIOTT, GRINDE, GUTSCHE, HARRIS, LANGE,  
MANGAN, NOENNIG, PARKER, WANZENRIED, WARDEN

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN  
AMENDMENT TO ARTICLE III, SECTIONS 4 AND 7, OF THE MONTANA CONSTITUTION TO CHANGE THE  
DISTRIBUTION OF ELECTORS WHO MUST PETITION TO PLACE A STATUTORY INITIATIVE ON THE  
BALLOT FROM 5 PERCENT IN AT LEAST ONE-HALF OF THE COUNTIES TO 5 PERCENT IN AT LEAST  
ONE-THIRD OF THE LEGISLATIVE REPRESENTATIVE DISTRICTS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article III, section 4, of The Constitution of the State of Montana is amended to read:

**"Section 4. Initiative.** (1) The people may enact laws by initiative on all matters except appropriations  
of money and local or special laws.

(2) Initiative petitions must contain the full text of the proposed measure, shall be signed by at least five  
percent of the qualified electors in each of at least ~~one-half of the counties~~ one-third of the legislative  
representative districts and the total number of signers must be at least five percent of the total qualified electors  
of the state. Petitions shall be filed with the secretary of state at least three months prior to the election at which  
the measure will be voted upon.

(3) The sufficiency of the initiative petition shall not be questioned after the election is held."

**Section 2.** Article III, section 7, of The Constitution of the State of Montana is amended to read:

**"Section 7. Number of electors.** (1) The number of qualified electors required in each legislative  
representative district and in the state shall be determined by the number of votes cast for the office of governor  
in the preceding general election.

(2) For the purposes of a constitutional amendment, the number of qualified electors in each county and  
in the state shall be determined by the number of votes cast for the office of governor in the preceding general  
election.

~~(3) For the purposes of a statutory initiative, the number of qualified electors required in each county~~

~~legislative district and in the state shall be determined by the number of votes cast for the office of governor in the preceding general election."~~

**NEW SECTION. Section 3. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2006 by printing on the ballot the full title of this act and the following:

[] FOR requiring that signatures be gathered in each of one-third of the legislative REPRESENTATIVE districts rather than one-half of the counties for statutory initiatives.

[] AGAINST requiring that signatures be gathered in each of one-third of the legislative REPRESENTATIVE districts rather than one-half of the counties for statutory initiatives.

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